



GEORGIA CONSERVATION VOTERS

April E-Newsletter

April 13, 2009

In This Issue:

Save the Date: 9th Annual Environmental Leadership Awards

2009 Georgia Legislative Wrap-Up



Save the Date: 9th Annual Environmental Leadership Awards

A Special Event to Honor Legislators Who
Work to Protect Georgia's Environment

May 20, 2009
6:00pm – 8:00pm

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2009 Georgia Legislative Wrap-Up



Friday, April 3rd marked the last day of the 2009 Legislative Session. While the environmental community was generally successful in defeating attempted rollbacks of

environmental protections, several efforts to pass good environmental and transportation bills fell short.

Thank you to everyone who contacted their legislators before critical votes or held them accountable through the [Georgia Environmental Action Network](#).

Below is a review of the “Leading Georgia into a Sustainable Future” priorities and other bills of interest to the conservation community:

No Rollbacks

[HB 552](#), sponsored by Rep. Terry Barnard (R-Glenngrove), extends the existing moratorium on injecting chemically-treated water into pristine underground drinking water supplies for many coastal plain residents for another five years. It passed both the House and Senate and was sent to the Governor for his signature.

[SB 155](#), sponsored by Sen. Chip Pearson (R-Dawsonville), puts EPD regulations into law that exempt small, temporary streams from the 25-foot buffer requirement. Environmental groups worked to clarify the definition of streams that were exempt, but were unsuccessful. The bill passed both chambers and was sent to the Governor.

[SB 164](#), sponsored by Sen. Don Balfour (R-Snellville), expands billboard companies’ abilities to cut down and remove more trees along roadways and pay less for the privilege. The bill passed the Senate, but failed to pass the House during the final days of the session. It was sent back to the House Rules committee, where it remains alive for next year.

[SB 229](#), sponsored by Sen. Ross Tolleson (R-Perry), would have fundamentally changed the administrative appeals process for all environmental appeals in Georgia by taking away the ability of a judge to act as a neutral interpreter of the law. It was defeated on the floor of the Senate.

Fund Public Transit Choices

[SB 39/SR 44](#), sponsored by Sens. Jeff Mullis (R-Chickamauga), Doug Stoner (D-Smyrna), Tommie Williams (R-Lyons), Kasim Reed (D-Atlanta), Chip Rogers (R-Woodstock), Tim Golden (D-Valdosta) and others, allows voters to approve regional transportation sales taxes (TSPLOSTs) to fund existing and new road, transit and rail projects.

[HB 277/HR 206](#), sponsored by Reps. Vance Smith (R-Pine Mountain), Ben Harbin (R-Evans), Donna Sheldon (R-Dacula), Mark Burkhalter (R-Johns Creek), Jay Shaw (D-Lakeland), Jerry Keen (R-St. Simons) and others, allows voters to approve a statewide sales tax for existing and new road, transit and rail projects. HB 277/HR 206 passed the House and then a substitute version of the bill passed the Senate. Although a conference committee of three representatives and three senators was appointed, an agreement was not reached on compromise language and no transportation funding bill passed this year.

[SB 120](#), sponsored by Sens. Doug Stoner (D-Smyrna), Jeff Mullis (R-Chickamauga), Emanuel Jones (D-Decatur), Chip Rogers (R-Woodstock), David Adelman (D-Decatur), Steve Henson (D-Tucker) and others, lifts the restrictions on how MARTA can spend funds on operations and maintenance. It passed the Senate, but was not taken up by the House. The House addressed MARTA spending restrictions in a substitute version of SB 39 in order to gain support for other legislation, but the House language still failed to meet the flexibility needs of MARTA. SB 120 remains alive for next year.

[SB 200](#), sponsored by Sen. Tommie Williams (R-Lyons) and [HB 605](#), sponsored by Rep. David Ralston (R-Blue Ridge), strips power from the Department of Transportation (DOT) board and gives the Governor more power over transportation dollars. It creates a Director of Planning within DOT to be appointed by the Governor. The Director is charged with developing statewide transportation plans and funding allocation formulas for maintenance, capacity building and local grants appropriated by the General Assembly. All statewide transportation plans must be approved by the State Transportation Board, which holds less power, but still appoints the GDOT Commissioner. The Commissioner is charged with implementing the transportation plans and can hire/fire employees. The General Assembly gains appropriations power over the GDOT budget with limits on earmarking and minimum requirements for local grant appropriations. The Senate agreed to the changes made by the House to SB 200 and it now moves to the Governor's desk for his signature.

Water Efficiency First

[HB 158](#), sponsored by Rep. Judy Manning (R-Marietta), ensures apartment-dwellers in new buildings don't get stuck paying for their neighbors' water use. The bill requires new multi-family residential buildings to put a water meter on each unit to calculate charges. HB 158 passed the House and the Senate Regulated Industries & Utilities Committee, but failed to move out of the Senate Rules Committee. The bill remains alive for next year.

[HB 262](#), sponsored by Rep. Calvin Hill (R-Canton), allows homeowners in certain subdivisions to plant drought-tolerant landscaping. A watered-down version of the bill passed the House but was defeated in the Senate Natural Resources & Environment committee after intense lobbying from agribusiness interests.

Make Our Highways Safe and More Scenic

[SB 18](#), sponsored by Sen. Seth Harp (R-Midland), requires DOT to inventory scenic areas, conservation use properties, historic trees, heritage tourism sites, centennial farms and locations on the National Historic Register within a set distance of a right of way of an interstate or state highway. It was not taken up by the Senate Transportation Committee and remains alive for next year.

[SB 107](#), also sponsored by Sen. Harp, would have prohibited new billboards in floodplains, wetlands, perennial streams or conservation use properties. It was not taken up by the Senate Transportation Committee and remains alive for next year.

Create a Climate Action Plan

[HR 10](#), sponsored by Rep. Billy Mitchell (D-Stone Mountain), would have created a study committee to analyze the impacts of climate change in Georgia and compare potential policy solutions. It was heard by the Energy subcommittee of House Energy, Utilities & Telecommunications, but the subcommittee did not vote on the bill.

Other Bills of Interest

[SB 228](#), sponsored by Sen. Ross Tolleson (R-Perry), would have strengthened the definition of where coastal marshland buffers begin, but would have also exempted certain stormwater detention basins and water amenity features statewide from the required 25-foot buffer. It passed the Senate but was not heard by the House Natural Resources & Environment Committee.

[HB 120](#), sponsored by Rep. Lynn Smith (R-Newnan), renews the annual Energy Star/WaterSense sales tax holiday during the first weekend of October on products for personal use that cost \$1500 or less. The bill passed both chambers and was sent to the Governor.

[HB 169](#), sponsored by Rep. Buddy Carter (R-Pooler), would have notified property owners living in the floodplain of changes to the FEMA floodplain map through the mail. Currently, only local elected officials are required to be notified. The bill passed the House and the Senate, but the sponsor disagreed with the changes made by the Senate. Unfortunately, the HB 169 conference committee report was defeated on the House floor late on the last day of the session. Efforts to pass another conference committee report failed.

[HB 316](#), sponsored by Rep. Earl Ehrhart (R-Powder Springs), exempts state government entities from paying local stormwater utility charges. Stormwater utilities are a fee for services provided by local government to cover capital and maintenance costs of flood and pollution control. HB 316 did not pass out of the House Governmental Affairs committee, but was amended in conference committee onto SB 194, a bill originally written to allow the state to enter into multi-year contracts to make state buildings more energy efficient. Due to opposition from the conservation community, local governments, the Georgia Association of Water Professionals and others, SB 194 was killed on the Senate floor late on the last day of the session.

[HB 473](#), sponsored by Rep. Ben Harbin (R-Evans), would utilize stimulus dollars to distribute incentives for commercial solar, wind, geothermal and energy efficiency projects. The bill passed both chambers and was sent to the Governor.

[SR 667](#), sponsored by Sen. Tolleson, creates a committee to study reducing emissions from off-road diesel vehicles. The Senate passed the resolution and the committee will hold meetings as determined by the chair during the summer/fall.

Next steps: [Governor Perdue](#) has 40 days from the end of the legislative session to sign or veto legislation. We are also monitoring whether severe drops in revenue or unresolved transportation problems will necessitate a special legislative session.

Sincerely,

Chris Osborne,
Executive Director

About Us:

Georgia Conservation Voters works to preserve and enhance the quality of life for all Georgians by making conservation a top priority with Georgia's elected officials, political candidates and voters. GCV understands that the most important decisions made on the environment are made by elected officials, so one of the most important things we can do to protect the environment is to elect pro-conservation candidates.

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